

## Message Text

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ACTION IO-14

INFO OCT-01 ADP-00 AID-20 EB-11 AF-10 ARA-16 EA-11 EUR-25

NEA-10 RSC-01 CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03

NSAE-00 NSC-10 PA-03 PRS-01 SS-15 USIA-15 COME-00

LOC-01 OMB-01 ABF-01 TRSE-00 OIC-04 CU-04 RSR-01 /198 W

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R 191800Z JUL 73

FM USMISSION GENEVA

TO SECSTATE WASHDC 598

INFO USMISSION USUN NY

UNCLAS GENEVA 3753

E.O. 11652: N/A

TAGS: UN, ECOSOC

SUBJ: 55TH ECOSOC: ITEM 18-WIPO/UN RELATIONS

REF: A) GENEVA 3697 B) GENEVA 3719 C) STATE 137802

1. SUMMARY. COORD. COMMITTEE CONTINUED DEBATE ON WIP/UN RELATIONS JULY 18TH AM AND PM AND JULY 19TH AM. DRAFT DECISION CO-SPONSORED BY ALGERIA, ARGENTINA, BRAZIL, EGYPT, SENEGAL, SWEDEN AND TUNISIA POSTPONED TO PERMIT CO-SPONSORS TO CONSIDER USSR AMENDMENTS AND NEGOTIATE AN AGREED TEXT. END SUMMARY.

2. USSR (NESTERENKO) IN OPENING LENGTHY STATEMENT SAID SOVIETS INTERESTED IN WIPO OTHERWISE WOULD NOT BE MEMBER; ANY RELATIONSHIP TO UN MUST BE CAREFULLY THOUGHT OUT, RELATED TO EFFICIENCY AND BEST INTERESTS OF BOTH ORGANIZATIONS. CITED SYG STATEMENT ON AVOIDING PROLIFERATION UN BODIES. ALL ARGUMENTS THUS FAR CITED NOT VALID AND EMOTIONAL RATHER THAN RATIONAL; NOTHING TO PREVENT OTHER COUNTRIES BECOMING MEMBERS NOW; CAN HAVE COORDINATION- OR IS WIPO SAYING UN OBJECTS UNTIL AGREEMENT CONCLUDED; CAN BECOME EXECUTING AGENT FOR UNDP IN FACT IS- AND WE WILL KNOW IMPLEMENTATION UNDP PROJECTS NOTORIOUSLY SLOW. HE AGREED WIPO ASSEMBLY MUST ACT BEFORE ECOSOC TAKES DECISION, UNCLASSIFIED

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AND THREATENED THAT WIPO ASSEMBLY NEEDS 9/10 VOTE AND THEREFORE

AGREEMENT OF MOST MEMBERS FOR THIS COURSE IS NECESSARY. HE SAID AFTER HEARING MEMBERS, ESPECIALLY PAKKISTAN, WHATEVER AGREEMENT NEGOTIATED WILL UNDOUBTEDLY BE NEW MODEL- AND THIS MUST BE CAREFULLY THROUGHOUT SO THAT INTERESTS OF ALL ARE TAKEN INTO ACCOUNT. ECOSOC IS NOT READY TO GIVE INSTRUCTIONS TO ITS NEGOTIATING COMMITTEE. HE EXPRESSED FEAR FOR WIPO STRUCTURE. HE CONCLUDED BY SAYING HE WILLING SEE ECOSOC ESTABLISH CONTACT GROUPS BUT UNWILLING PRE-JUDGE ISSUE OF SPECIALIZED AGENCY.

3. U.S. SPOKE IN FAVOR SPECIALIZED AGENCY STATUS IN PRINCIPLE QUOTING FROM US STATEMENT WIPO COORD CTTEE, AND RESERVED FINAL POSITION WHEN DRAFT PRESENTED. QUOTED VERBATIM FROM POSITION PAPER AND TELEGRAM, AND SUPPORTED ESTABLISHMENT NEGOTIATING COMMITTEE. IN LINE WITH REFTEL NO TIME LIMIT FOR REPORT SPECIFIED.

4. YUGOSLAVIA, KENYA, CHILE, SENEGAL, FINLAND, TURKEY, ALGERIA, BRAZIL, INDIA ALL SUPPORTED SPECIALIZED AGENCY STATES AND IMMEDIATE ESTABLISHMENT OF NEGOTIATING COMMITTEE. KENYA EXPRESSED WISH BE ON NEGOTIATING COMMITTEE AND STRESSED IMPORTANCE WIPO BE BOUND BY GA AND ECOSOC IN COORDINATION MATTERS, SINCE ORGANIZATION IN UN SYSTEM TRYING TO ACT AS IF AUTONOMOUS, AND THIS MUST BE STOPPED. CHILE AND ALGERIA STRESSED PATENTS BEING USED TO GIVE ADVANTAGES IN INTERNATIONAL TRADE AND WIPO HAS MONOPOLY ON PATENTS AND CHANGES NEED TO BE MADE, SPECIALLY TO ENHANCE ROLE OF UNCTAD AND UNIDO. THIS ONLY POSSIBLE IF WIPO "LINKED CLOSELY" TO UN. OTHER DELEGATIONS, INCLUDING INDIA, STRESSED INTERESTS OF LDCS MUST BE PROTECTED AND SPELLED OUT IN ANY AGREEMENT.

5. KITTANI (UN-ASYG), UNDP, UNCTAD SPOKE. KITTANI IS REPLY TO STATEMENT FROM KENYA THEY REGRETTED UN SEC HAD NOT PREPARED DRAFT AGREEMENT, POINTED OUT ECOSOC RES 11 GAVE INSTRUCTIONS TO SECRETARIAT AS TO WHAT SHOULD BE INCLUDED IN AGREEMENTS. IF SEC TO PREPARE NEW DRAFT COMMITTEE MUST GIVE APPROPRIATE INSTRUCTIONS TO SEC. NO MEMBER, EXCEPT PAKISTAN, SEEMED PREPARED DO THIS.

6. WIPO SYG ANSWERED PAKISTAN AND OTHER QUESTIONS. SAID ASSESSMENTS ANCHORED IN TREATIES AND NO NEED FOR CHANGE "FOR THE MOMENT". HE ALSO OUTLINED GEOGRAPHIC DISTRIBUTION OF STAFF WHICH INFO PAK RECEIVED WITH SCATHING RESPONSE, SAYING 8 UNCLASSIFIED

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LDCS OUT OF 50 NOT GOOD ENOUGH AND IF WIPO BECOMES SPECIALIZED AGENCY THIS FIRST THING TO BE RECTIFIED.

7. JULY 19TH AM. ARGENTINA INTRODUCED DRAFT DECISION WHICH DECIDES; 1) IT DESIRABLE WIPO BE BROUGHT INTO RELATIONSHIP UNDER ART. 57; 2) COMMITTEE ON NEGOTIATIONS SHALL BE COMPOSED OB BLANK NUMBER OF MEMBERS; 3) COMMITTEE SHOULD TAKE INTO ACCOUNT INTER ALIA, DRAFT SUBMITTED BY WIPO AND UN ANALYSIS AND

TEXTS OF OTHER AGREEMENTS WITH SPECIALIZED AGENCIES; AND 4) COMMITTEE TO SUBMIT REPORT INCLUDING DRAFT AGREEMENT. (NO DATE SPECIFIED IN ORIGINAL TEXT, BUT SPONSORS INDICATED WANTED REPORT BACK TO 55TH SESSION).

8. TUNISIA PROPOSED AMENDING DRAFT TO INDICATE REPORT BACK ASAP AND NOT LATER THAN 57TH SESSION. PAKISTAN PROPOSED THAT COMMITTEE SHOULD ALSO TAKE INTO ACCOUNT IN NEGOTIATING AGREEMENT ALL COMMENTS MADE DURING COORD CTTEE DISCUSSIONS. BOTH AMENDMENTS ACCEPTED.

9. USSR IN CONSIDERABLE RETREAT FROM FIRST STATEMENT, SUGGESTED:

1) ADDITION PREAMBLE AS FOLLOWS "TAKING INTO ACCOUNT THE INTEREST OF WIPO COORD CTTEE TO BRING WIPO INT RELATIONSHIP WITH UN AND ITS DECISION TO CREATE A NEGOTIATING COMMITTEE TO ESTABLISH CONTACT WITH ECOSOC"; AND 2) RE-DRAFT FIRST PARA OF DECISION AS FOLLOWS: "IT IS DESIRABLE THAT WIPO BE BROUGHT INTO RELATIONSHIP WITH UN AND COUNCIL SHOULD ENTER INTO NEGOTIATIONS AIMING AT CONSIDERATION OF DECISION OF COORD. CMTTEE OF WIPO SUBJECT TO APPROVAL OF ITS ASSEMBLY, KEEPING IN MIND PROVISION OF ART. 57 AND 63." ALSO INDICATED DESIRE PARTICIPATE IN GENEVA NEGOTIATING COMMITTEE.

10. DISCUSSIONS SUSPENDED FOR INFORMAL CONSULTATIONS IN ORDER ARRIVE AT AGREED TEXT.

11. IT OBVIOUS FROM DEBATE AGREEMENT WITH WIPO MAY BE TEST FOR REVISION ALL OTHER SPECIALIZED AGENCIES AGREEMENTS, AND THUS MAY BE PROTRACTED, AND COMPLICATED. SECRETARIAT OF ECOSOC SAID INFORMALLY TO US DEL THEY HAD ORIGINALLY ANTICIPATED NEGOTIATION MIGHT TAKE 2 DAYS AND COULD BE ACCOMMODATED DURING THIS SESSION. IF MORE MEETINGS REQUIRED IT WOULD BE IMPOSSIBLE, UNCLASSIFIED

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WITHOUT CONSIDERABLE FINANCIAL IMPLICATIONS OF HIRING OUTSIDE FREE-LANCE STAFF (INTERPRETERS, PRECIS WRITERS, ETC.)

12. DEBATE HOPEFULLY TO BE CONCLUDED JULY 20TH AM.

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## Message Attributes

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**Current Classification:** UNCLASSIFIED  
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**Copy:** SINGLE  
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**Decaption Date:** 01 JAN 1960  
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**Reference:** 73 A) GENEVA 3697 B) GENEVA 3719 C), STATE 137802  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** worrelsw  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 17 JAN 2002  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <17-Jan-2002 by phillir0>; APPROVED <12 MAR 2002 by worrelsw>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** 55TH ECOSOC: ITEM 18-WIPO/UN RELATIONS  
**TAGS:** PFOR, UN, ECOSOC  
**To:** STATE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005